

Appl. No. 09/965,998  
Amdt. dated November 30, 2005  
Reply to final Office Action of August 30, 2005

#### REMARKS/ARGUMENTS

The Applicant has received the final Office Action dated August 30, 2005, (hereinafter "*Office Action*") which: 1) rejects claims 2, 7, 17, 23, and 24 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement; 2) rejects claims 2, 7, 17, 18, 23, and 24 under 35 U.S.C. § 103(a) as allegedly unpatentable over *Alcom* (U.S. Pat. No. 6,106,396) in view of *Wu* (U.S. Pat. No. 6,401,140), *Madden* (U.S. Pat. No. 6,178,503) and *Agnihotri* (U.S. Pat. No. 6,763,456); and 3) rejects claims 3 and 8 under 35 U.S.C. § 103(a) as allegedly unpatentable over *Alcom*, *Wu*, *Madden* and *Agnihotri* and further in view of *Puckette* (U.S. Pat. No. 6,385,721).

With this Preliminary Amendment, Applicants amend claims 2, 7, 8, 17, 23 and 24. Therefore, claims 2, 3, 7, 8, 17, 18, 23 and 24 remain pending (claims 1, 4-6, 9-16, 19-21 and 27-29 were previously withdrawn and claims 22, 25 and 26 were previously canceled).

#### I. "FINDINGS" OF THE OFFICE ACTION

The Office Action presents a plurality of "findings" with regard to teachings of the cited art. To the extent necessary to keep these "findings" from becoming conclusive, Applicants respectfully traverse each and every finding.

Applicants traverse any "findings" regarding *Alcom* that imply that *Alcom* may be directed to installation of operating systems. More particularly, "finding" numbers 14 and 18 postulate that *Alcom* is directed to **installation** of operating systems, whereas a closer examination of *Alcom* reveals that *Alcom* is directed to booting **previously installed** operating systems.

Applicants traverse any "findings" regarding *Madden* that imply that *Madden* may be directed to installation of operating systems. In fact, "finding" numbers 1 and 7 allege that *Madden* is directed to **installation** of operating systems, whereas a closer examination of *Madden* reveals that *Madden* deals with booting **previously installed** operating systems.

Applicants traverse any "findings" regarding *Wu* that imply that *Wu* may be directed to installation of operating systems. Indeed, "finding" number 24 contends that *Wu* is directed to **installation** of operating systems, whereas a

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closer examination of Wu reveals that Wu involves booting **previously installed** operating systems.

## **II. REJECTIONS UNDER § 112**

Claims 2, 7, 17, 23, and 24 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement. More specifically, the Office Action states that the act of "showing" recited in claims 2, 7, 17, 23, and 24 fails to comply with the enablement requirement because one of ordinary skill in the art would be unable to determine how to "'show' only certain files *without* a display device" without undue experimentation. *Office Action* at 2-3. Applicants have amended the pending claims to replace the act of "showing" with the act of "identifying" in order to overcome any § 112 problems and respectfully request reconsideration. Since this amendment is supported by the original specification at least at ¶ [0042], no new matter is added by this amendment.

## **III. REJECTIONS UNDER § 103**

### **A. Claims 2, 7, 17, 23, and 24**

Independent claims 2, 7, 17, 23, and 24 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over *Alcom* in view of *Wu*, *Madden*, and *Agnihotri*. Applicants respectfully traverse because the cited art fails to teach or suggest all of the claim elements. For example, independent claim 2, as amended, recites "providing operating system drivers **during an operating system installation** on a computer system" and none of the cited art teaches or suggests such a claim feature. For at least this reason, claim 2, as well as its dependent claims, is not rendered obvious by the cited art.

Independent claim 7 and its dependent claims include elements akin to those described for claim 2, and therefore claim 7 and its dependent claims are allowable over the cited art for at least the same reasons as claim 2.

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Claim 17, as amended, requires "mak[ing] the set of hardware drivers available for copying **during installation of an operating system** by showing the hardware drivers on the ROM as files on a virtual disk drive." Since none of the cited art teaches or suggests this claim element, claim 17 and its dependent claims are allowable over the cited art for at least this reason.

Claim 23, as amended, recites that the "the BIOS programs of the ROM show a virtual floppy drive whose contents reside in the random access memory (RAM) area of the virtual address space and whose contents include hardware drivers available for copying **during installation of an operating system**." None of the cited art teaches or suggests such a claim element and therefore claim 23 is allowable over the cited art for at least this reason.

Claim 24, as amended, recites that:

the BIOS programs show as contents of the virtual floppy drive **only the first set of operating system drivers if the first operating system is to be installed on the computer system**, and wherein the BIOS programs are further adapted to show as contents of the virtual floppy drive **only the second set of operating system drivers if the second operating system is to be installed on the computer system**.

None of the cited art teaches or suggests showing different contents of the virtual floppy as a result of installing either the first or second operating system, and therefore claim 24 is allowable over the cited art for at least this reason.

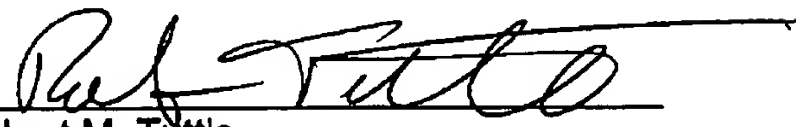
#### **IV. CONCLUSION**

Applicants respectfully request reconsideration and issuance of a timely Notice of Allowance. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event that additional extensions of time are necessary to allow consideration of this paper, however, such extensions are

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hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

  
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